

**RHODE ISLAND  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
DIVISION OF FISH AND WILDLIFE**

**ABSTRACT OF  
MARINE FISHERIES  
LAWS AND REGULATIONS  
2005**



**The information in this pamphlet outlines general recreational and commercial fishing laws in state waters ONLY. It is not a comprehensive text of regulations. Contact the Division of Fish and Wildlife (401) 423-1920 for further details or visit our website at [www.state.ri.us/dem/topics/mftopics.htm](http://www.state.ri.us/dem/topics/mftopics.htm)**

# **State of Rhode Island**

**Donald Carcieri, Governor**

## **Department of Environmental Management –**

**Michael Sullivan, Director**

**235 Promenade Street, Providence, RI 02908 (401) 222-2771**

**Complaints of violations should be reported to:**

**Division of Enforcement - Steven Hall, Chief**

**83 Park Street, Providence, RI 02903**

**(401) 222-3070 – 24-hour service**

**Status of Temporary Closure in the Upper bay**

**(401) 222-2900 – 24-hour service**

**Boating Safety Information - (401) 222-2284**

**Boat Registration - (401) 222-6647**

**License Information - (401) 222-3576**

**Water Pollution – Office of Water Resources - (401) 222-3961**

**Federal Fisheries Permit Information - (978) 281-9353**

## **Division of Fish and Wildlife - Michael L. Lapisky, Acting Chief**

**Oliver Stedman Government Center, Wakefield, RI 02879 (401) 789-3094**

## **Fort Wetherill Marine Laboratory -- Marine Fisheries Section**

**3 Fort Wetherill Rd. Jamestown, RI 02835 (401) 423-1920**

**Mark R. Gibson, Deputy Chief Marine Fisheries**

**Najih Lazar, Supervising Marine Biologist**

**Arthur R. Ganz, Supervising Marine Biologist**

**Timothy R. Lynch, Principal Marine Biologist**

**J. Christopher Powell, Principal Marine Biologist**

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**Richard J. Satchwill, Principal Marine Biologist**

**Thomas E. Angell, Principal Marine Biologist**

**Dennis Erkan, Principal Marine Biologist**

**Brian R. Murphy, Principal Marine Biologist**

**Jason E. McNamee, Principal Marine Biologist**

**Scott D. Olszewski, Principal Marine Biologist**

**Michelle Burnett, Senior Marine Biologist**

**Laura Lee, Stock Assessment Biologist**

**John M. Lake, Fisheries Specialist II**

**Richard Mello, R/V Captain**

**Ken Benson, Assistant Captain**

**Hazel Sirr, Technical Assistant**

**Don Deberardino, Marine Maintenance Supervisor**

**Nicole E. Calabrese, Fishery Specialist I**

**Sarah J. Pierce, Fishery Specialist I**

## **Coastal Fisheries Laboratory - North Cape Shellfish Restoration Project**

**Boze Hancock- Project Coordinator (401) 783-2304**

**Dealer Quota Call-in 1-800-839-1346**

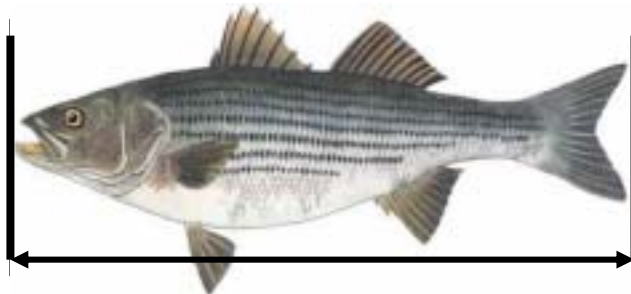
# **RECREATIONAL**

## **MINIMUM SIZES AND POSSESSION LIMITS OF FISH**

Minimum sizes are total length (Measured from tip of snout to tip of tail).

<b>Species</b>	<b>Minimum Size</b>	<b>Open season</b>	<b>Possession limit</b>
American Eel	6"	Open year around	50 fish/person/day
American Plaice (Dab)	14"	Open year around	No limit
Black Sea Bass	12"	Open year around	25 fish/person/day
Bluefish	No minimum size	Open year around	10 fish/person/day
Cod	20"	Open year around	No limit
Summer Flounder (Fluke)	17.5"	Apr. 1 - Dec. 31	7 fish/person/day
Monkfish (Goosefish)	17" whole; 11" tail	Open year around	No limit
Haddock	19"	Open year around	No limit
Pollock	19"	Open year around	No limit
Scup (shore and Private)	10.5"	July 1 - Oct. 31	25 fish/person/day
Scup (Party & Charter)	10.5"	July 1 - Aug. 31 Sept. 1 - Oct. 31	25 fish/person/day 60 fish/person/day
Striped Bass	28"	Open year around	2 fish/person/day
Tautog (Blackfish)	16"	May 1 - October 14 Oct. 15 - Dec. 31	3 fish/person/day 10 fish/person/day
Weakfish (Squeteague)	16"	Open year around	10 fish/person/day
Winter Flounder* (Blackback)	12"	April 16 - May 25; Sept. 24 - Oct. 23	4 fish/person/day

\* The harvest or possession of Winter Flounder is PROHIBITED in Narragansett Bay, north of the lines from So. Ferry Rd. in Narragansett to Ft. Getty; Ft. Wetherill to Ft. Adams; and Sandy Pt. to High Hill Pt.



How to measure a fish (total length-tip of snout to tip of tail).

# **COMMERCIAL (for sale)**

MINIMUM SIZES AND POSSESSION LIMITS OF FISH

**FOR QUOTA AND TRIP LIMITS CALL OUR 24 HOUR-LINE  
at (401) 423-1920 Then press #3**

<b><u>Species</u></b>	<b><u>Minimum Size</u></b>	<b><u>Open season</u></b>	<b><u>Trip limit</u></b>	<b><u>Quota</u></b>
American Eel	6"	Open year around	No limit	None
American Plaice (Dab)	14"	Open year around	No limit	None
Black Sea Bass	11"	Jan.-April; May-July; Aug. - Oct.; Nov.-Dec.	Call DFW for details**	Yes
Bluefish	No minimum	Jan. 1 - June 30; July 31 - Dec. 31	No limit	Yes
Cod	19"	Open year around	No limit***	None
Spiny Dogfish	No minimum	May 1, 03' - Oct. 31, 03'; Nov. 1, 03' - April 30, 04'	Call DFW for details**	Federal coastwide quota
Summer flounder (Fluke)	14"	Jan.-April; May-July; Aug. - Oct.; Nov.-Dec.	Call DFW for details**	Yes
Monkfish	17" whole 11" tail	Open year around	No limit***	None
Haddock	19"	Open year around	No limit***	None
Pollock	19"	Open year around	No limit	None
Scup	9"	Jan. - April; May - Oct; Nov. - Dec.	Call DFW for details**	Yes
Striped Bass	34"	June 1 - Aug. 31; Sept. 1 - Dec. 31	4 fish/person/day 3 fish/person/day	Yes
Floating traps	28"	Jan. 1- 90% harvest; Aug. 27 - total harvest	Call DFW for details**	Yes
Tautog (Blackfish)	16"	Apr.15-May31; Aug. 1-Sept. 15; Oct. 15 - Dec. 31	10 fish per person or vessel per day	Yes
Winter Flounder* (Blackback) in open areas of the (CMLMA)	12"	March 1-Sept. 30, or quota: Oct. 1 - Nov. 15, or quota	100 lbs./day in the coastal ponds: 300 lbs/day in other open areas	Call DFW for details**
Weakfish (Squeteague)	16"	Open year around	Call DFW for details**	None

\* The harvest or possession of Winter Flounder is PROHIBITED in Narragansett Bay, north of the lines from So. Ferry Rd. in Narragansett to Ft. Getty; Ft. Wetherill to Ft. Adams; and Sandy Pt. to High Hill Pt.



**\*\* For daily trip limits or possession on quota managed species call 423-1920 and press 3.**

**\*\*\* Federal trip limits apply for federal permit holders. Contact NMFS for details.**

# MINIMUM SIZES OF LOBSTERS AND CRABS

**Horseshoe Crabs: (harvest permit required)** No horseshoe crab harvest during the period 48 hours preceding and 48 hours following the new and full moons during the months of May, June and July annually.

## Lobsters:

All lobsters must be measured **IMMEDIATELY**

Those measuring less than  $3\frac{3}{8}$ "

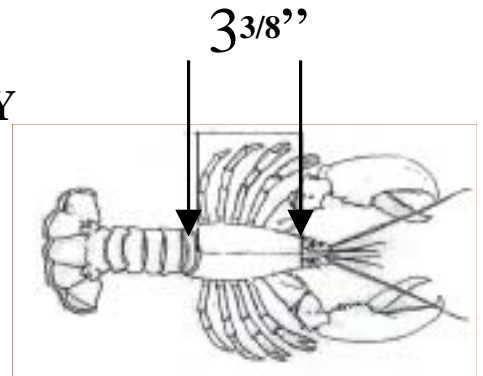
**carapace length** must be returned immediately to the water from which taken.

The **POSSESSION** of egg-bearing or v-notched lobsters is prohibited.

Non-commercial possession limit: **licensed residents only.**

Pots – 5 pots/rec. license

Divers – 8 lobsters/day

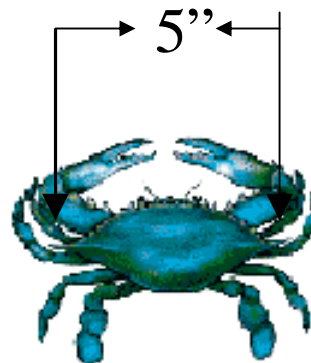


**Carapace length:** Measured from the rear of the eye socket along a line parallel to the center of the body shell to the rear of the body shell.

## Blue Crabs:

All Blue Crabs measuring less than 5" spike to spike shall be returned to the water immediately.

No person shall possess, take, or attempt to take more than 25 blue crabs from any of the waters in this state except when taking by crab net, dip net, scoop net, hand line or trot line. Harvesting of blue crabs is **restricted to residents of the state** between sunrise and sunset.



Measured from tip of spike to tip of spike.

The **POSSESSION** of egg-bearing crabs is prohibited.

## MINIMUM SIZES FOR SHELLFISH

Quahaug = 1" hinge width

Soft-Shell Clam \* =  $1\frac{1}{2}$ " longest axis

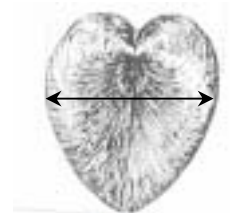
Mussel \* =  $1\frac{1}{2}$ " longest axis

Oyster \* = 3" longest axis

Scallop = No seed possession.

Surf Clam \* = 5" longest axis

1" hinge width



\* Measured in a straight line parallel to the long axis of the animal.

# ***SHELLFISH***

Shellfishing is prohibited statewide between sunset and sunrise.

Oysters – The season is open from September 15 to May 15 (inclusive).

Scallops – The season opens sunrise the first Saturday in October and closes at sunset on December 31.

## **DAILY CATCH LIMITS – QUAHAUGS, SOFT-SHELLED CLAMS, SURF CLAMS, SCALLOPS, MUSSELS, AND OYSTERS STATEWIDE EXCEPT IN MANAGEMENT AREAS.**

**RESIDENT LIMIT – NO LICENSE REQUIRED** – Unless otherwise specified in regulations adopted by the Director, any resident of this state may, without license, take in any one (1) day during the open season thereof, if applicable, not more than one half (1/2) bushel each of quahaugs, soft-shelled clams, surf clams, oysters, and mussels, and not more than one (1) bushel of scallops; provided that such quahaugs, soft-shelled clams, surf clams, oysters, mussels or scallops shall not be sold or offered for sale.

### **DRY MEASURE EQUIVALENTS**

2 pints = 1 quart

8 quarts = 1 peck

1 peck = 2 gallons

4 pecks = 1 bushel

**COMMERCIAL LIMIT - LICENSE REQUIRED** -- Unless otherwise specified by regulation of the Director, a holder of a commercial shellfishing or multipurpose license may take and possess, in any one (1) day, up to twelve (12) bushels of quahaugs, twelve (12) bushels of soft-shelled clams, twelve (12) bushels of surf clams, and three (3) bushels of oysters. Licensed dredge boats may take up to 200 bushels of surf clams in one day. The commercial limit for scallops is five (5) bushels per day per boat.

**NON-RESIDENT LIMIT - LICENSED INDIVIDUALS ONLY** -- A holder of a non-resident shellfishing license may take in any one (1) day not more than one (1) peck each of oysters, quahaugs, soft-shelled clams, surf clams or mussels. **There is no taking of lobsters, blue crabs, or bay scallops by non-residents .**

**NON-RESIDENT PROPERTY OWNERS** – A nonresident landowner who owns residential real estate in Rhode Island assessed for taxation at a value of not less than thirty thousand dollars may, with proof of property ownership, obtain an annual, noncommercial, nonresident shellfish license for a fee of twenty-five dollars. This license holds the same restrictions and allowable daily catch limits as a licensed nonresident.

## **SHELLFISH MANAGEMENT AREAS : CATCH LIMITS FOR QUAHAUGS, SOFT-SHELLED CLAMS, SURF CLAMS, MUSSELS, AND OYSTERS (BAY SCALLOPS EXCLUDED) IN:**

Potter, Point Judith, Ninigret (Charlestown), Quonochontaug, and Winnapaug (Brightman) Ponds, Greenwich Bay\*, Bristol Transplant Bed\*, Potowomut\*\*, and Bissel Cove\*, Kickemuit River, High Banks\*, Mill Gut\*, Jenny's Creek (closed until further notice)

AREA SPECIFIC REGULATIONS MAY APPLY

### **Maximum Daily Take**

**Rhode Island Resident (no sale) = 1 peck/each/day/person**

**Commercial License Holders = 3 bu./each/day/person**

**Licensed Nonresident (no sale) = ½ peck/each/day/person**

\* 3 bu. permitted only when transplant area is open.

\*\* Area A same schedule as below; Area B closed until further notice; Area C open daily sunrise to sunset (see map)

**SHELLFISH MANAGEMENT AREAS:** Greenwich Bay, Bissel Cove, Potowomut\*\*, and Bristol, are open from 8 AM-Noon Mondays, Wednesdays, and Fridays beginning on the second Wednesday in December through April 30 annually. Mill Gut is open daily from sunrise to sunset beginning on the second Wednesday in December through April 30 annually.

**SHELLFISH AREAS CLOSED TO POLLUTION:** Request pollution closures from the Division of Water Resources at **222-3961**. The public should note that these closures change seasonally. Please be responsible; be aware of all harvesting closures. Call **222-2900** for up to date closure information.

**POTOWOMUT, WINNAPAUG POND AND QUONOCHONTAUG POND:** Portions of each of these three water bodies have been permanently closed to all shellfishing, except scalloping, as spawner sanctuaries in order to conserve the production capacity of each area.

# ***EQUIPMENT REGULATIONS***

**DIP NETTING ONLY SEASON** – The use of all other harvesting methods except dip netting from a boat is prohibited for harvesting scallops in Point Judith, Ninigret, Green Hill, Quonochontaug, Potter, and Winnapaug Ponds, Narrow River and Pawcatuck River/Little Narragansett Bay until sunrise, November 15, annually.

**SCUBA** – Shellfishing using SCUBA gear is prohibited in Green Hill Pond, Quonochontaug Pond, Charlestown Pond and Potter Pond.

**GILL NETS, OTTER TRAWLING, SEINES, ETC.** – Request area specific regulations.

**FYKE NETS** – It shall be illegal to use a fyke net if said fyke net leader exceeds 100 feet in length, has a stretched mesh of greater than 2 1/2 inches, a leader which extends more than 4 feet off the bottom, is not tended every 48 hours, and it shall be illegal to set a fyke net within 250 feet of any other fishing net. Fyke nets are prohibited in all of the salt pond channels. Fyke nets are prohibited in Charlestown and Quonochontaug Ponds between June 15 and Sept. 15 annually.

**BEACH SEINES – RECREATIONAL BAIT NETS** – Marine species may lawfully be taken for personal use provided that all existing minimum size and possession limit restrictions for the species possessed are adhered to. Also a limit of 2 quarts per person is allowed for all unregulated marine species. Nets being used cannot exceed four (4) feet in depth and 20 feet in length.

**MARKING OF TRAPS** – The owner of every trap, pot, or other stationary contrivance used for the taking of marine fish, shellfish, crustaceans, or other invertebrates being fished in the waters of this state, and the owner of any trap or pot for catching, or cars or other contrivance for keeping lobsters shall mark each such trap, pot, or contrivance, together with the buoy which is attached thereto, with the name or names of the owners thereof or the person or persons using the same, and the license number or numbers of such person or persons. Each such lobster or crab pot buoy shall display that person's stated color scheme, and this color scheme shall also be displayed on the boat used by that person in tending that gear. The use of floating line within eight feet of the surface is prohibited.

## **Escape Vents (Lobster, Scup, and Black Sea Bass Pots)**

Minimum size:	Lobster	Scup	Black Sea Bass
Rectangular:	2 " x 5 3/4"	2 1/4" x 5 3/4"	1 3/8" x 5 3/4"
Square:		2 1/4" x 2 1/4"	2" X 2"
Two Circular:	2 1/2" diameter	3.1" diameter	2 3/8" diameter

**RHODE ISLAND LICENSED COMMERCIAL LOBSTER FISHERMEN ARE LIMITED TO 800 TRAPS.**

**Lobster trap size shall not exceed 22,950 cubic inches.**

<b>Diving Baskets:</b>	<b>Tongs, Bullrakes</b>
	<b>Spacing requirements</b>
Bar spacing: 1" x 2 1/2" minimum	Tooth spacing : 1" minimum
Bag: 2" minimum	Head construction: 2 1/2" x 1" minimum

**SURF CLAM and OCEAN QUAHAUG DREDGING** – Request area and gear-specific regulations.



# ***Required Gear Modifications to Reduce Risk of Entangling Large Whales***

## **REGULATIONS FOR ALL LOBSTER POTS/TRAPS AND GILLNET FISHERIES**

- No floating line at the surface (except between two buoys on the same buoy line or between a high flyer and a buoy).
- No wet storage of inactive gear (gear must be tended at least once every 30 days).
- All gear must be marked with a designated color that identifies the area in which it was set
  - Inshore Pots: Buoy lines marked red
  - Offshore Pots: Buoy lines marked black
  - Gillnets: Buoy lines marked green



## **LOBSTER POTS**

### **Inshore Waters: Choose 1 from this gear technology list**

- All buoys attached to the buoy line with a weak link having a maximum tensile strength of 600 pounds (weak links may include swivels, plastic weak links, rope of appropriate diameter, hog rings, or rope stapled to a buoy stick).
- All buoy lines composed entirely of sinking line.
- All ground lines made of sinking line.

### **Offshore Waters**

- All buoys attached to the buoy line with weak link having a breaking strength of no more than 2000 pounds.
- Weak links must be designed in such a way that the bitter end of the buoy line is clean and free of any knots when the weak link breaks.

## **GILLNETS**

- All net panels must contain weak links with a breaking strength no greater than 1100 pounds in the center of the floatline (headrope) or each net panel
- All buoys attached to the buoy line with a weak link having a maximum tensile strength of 1100 pounds.
- Anchored gillnet strings of 20 or fewer nets must be secured in 1 of 3 ways:
  - (1) with the holding power of at least a 22 pound Danforth-style anchor at each end of the net string; (2) with at least 50 pounds of dead weight at each end of the net string, or (3) with a lead line weighing at least 100 pounds per 300 feet for each net panel in the net string.

**Note: These are the regulations which were in effect at the time of this printing. They are subject to change and are frequently reviewed. It is the responsibility of the fisherman to contact NMFS for the current regulations.**



## **WHALE EMERGENCY REPORTING NUMBERS**



Whale Entanglement – Center for Coastal Studies (800)-900-3622 or USCG Channel 16

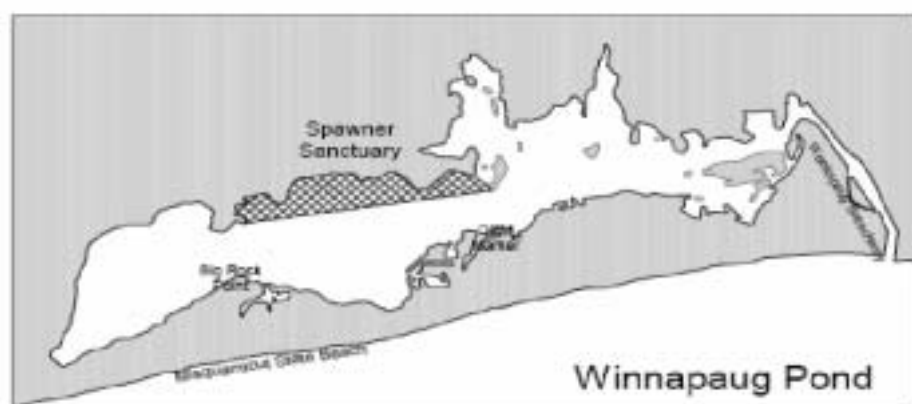
Whale Stranding/Floating Dead Whale – NMFS (508)-495-2090; pager (978)-585-7149

Right Whale Sighting – NMFS EWS (508)-495-2264; pager (978)-585-8473, or USCG Channel 16

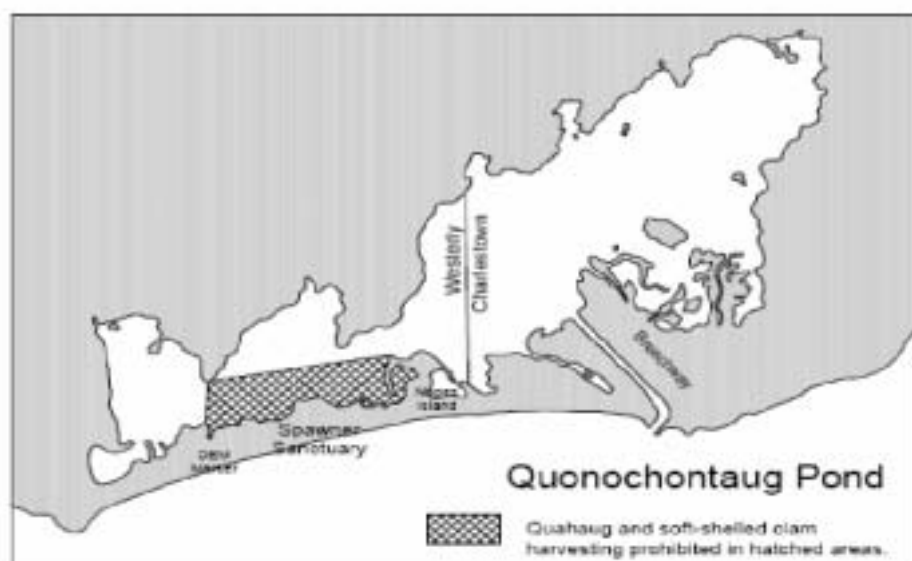
To report an injured seal or marine mammal stranding on shore contact:

Mystic Aquarium at (860) 572-5955 ext. 107

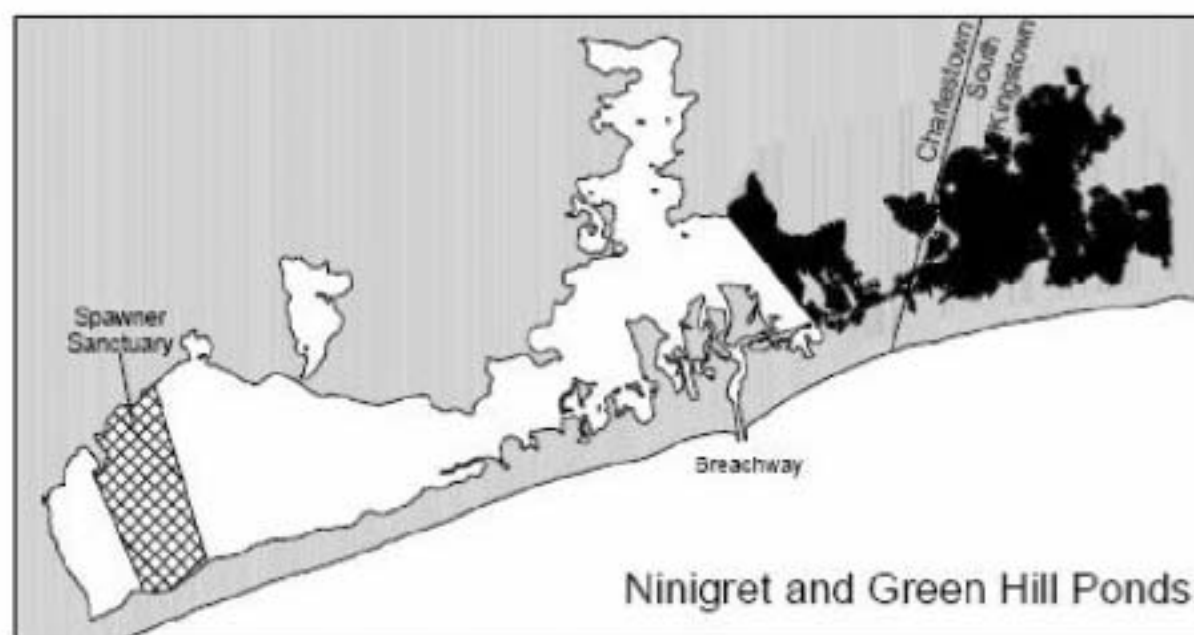




Winnapaug Pond



Quonochontaug Pond



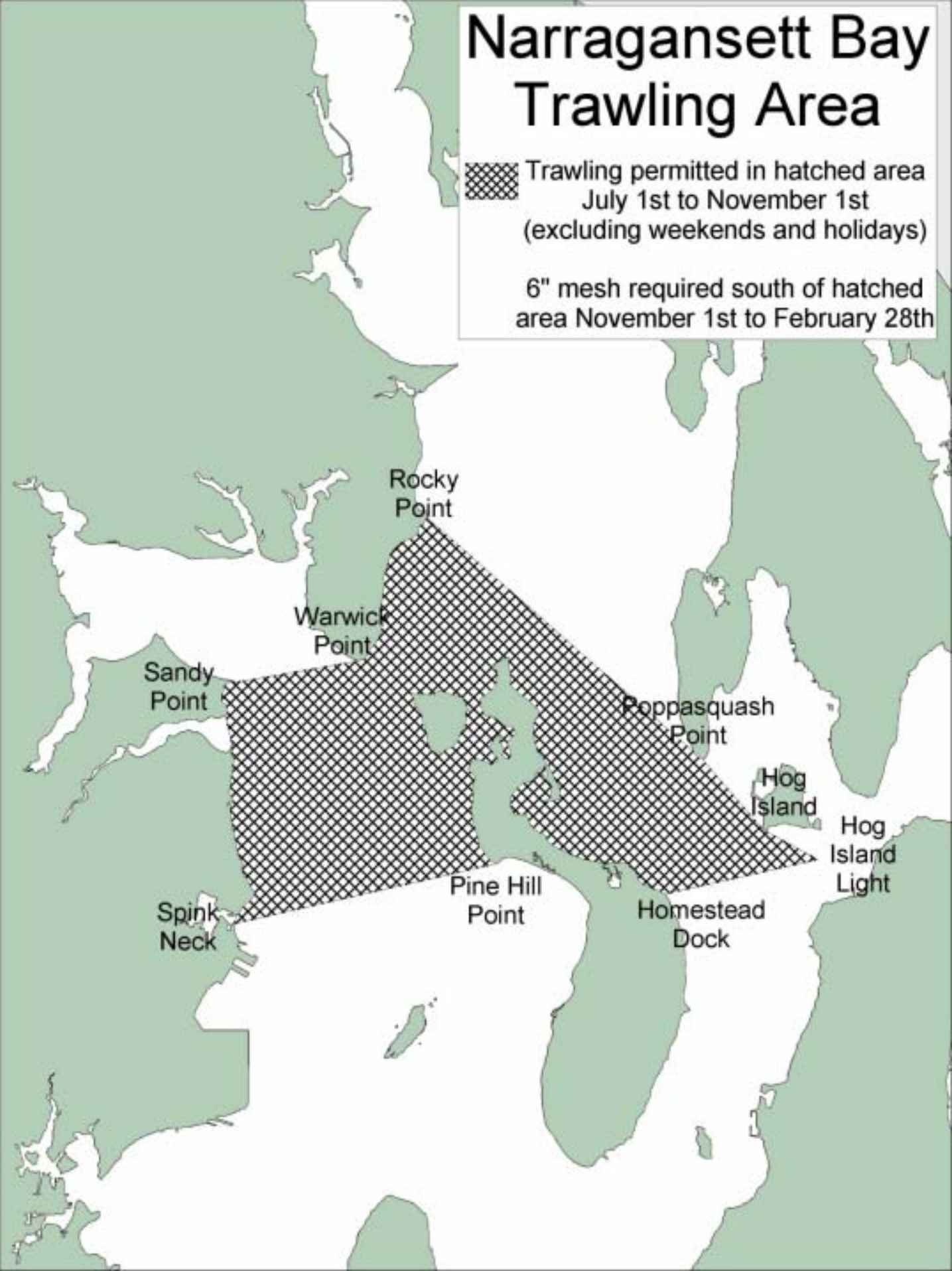
Ninigret and Green Hill Ponds

# Narragansett Bay Trawling Area



Trawling permitted in hatched area  
July 1st to November 1st  
(excluding weekends and holidays)

6" mesh required south of hatched  
area November 1st to February 28th



Rocky  
Point

Warwick  
Point

Sandy  
Point

Spink  
Neck

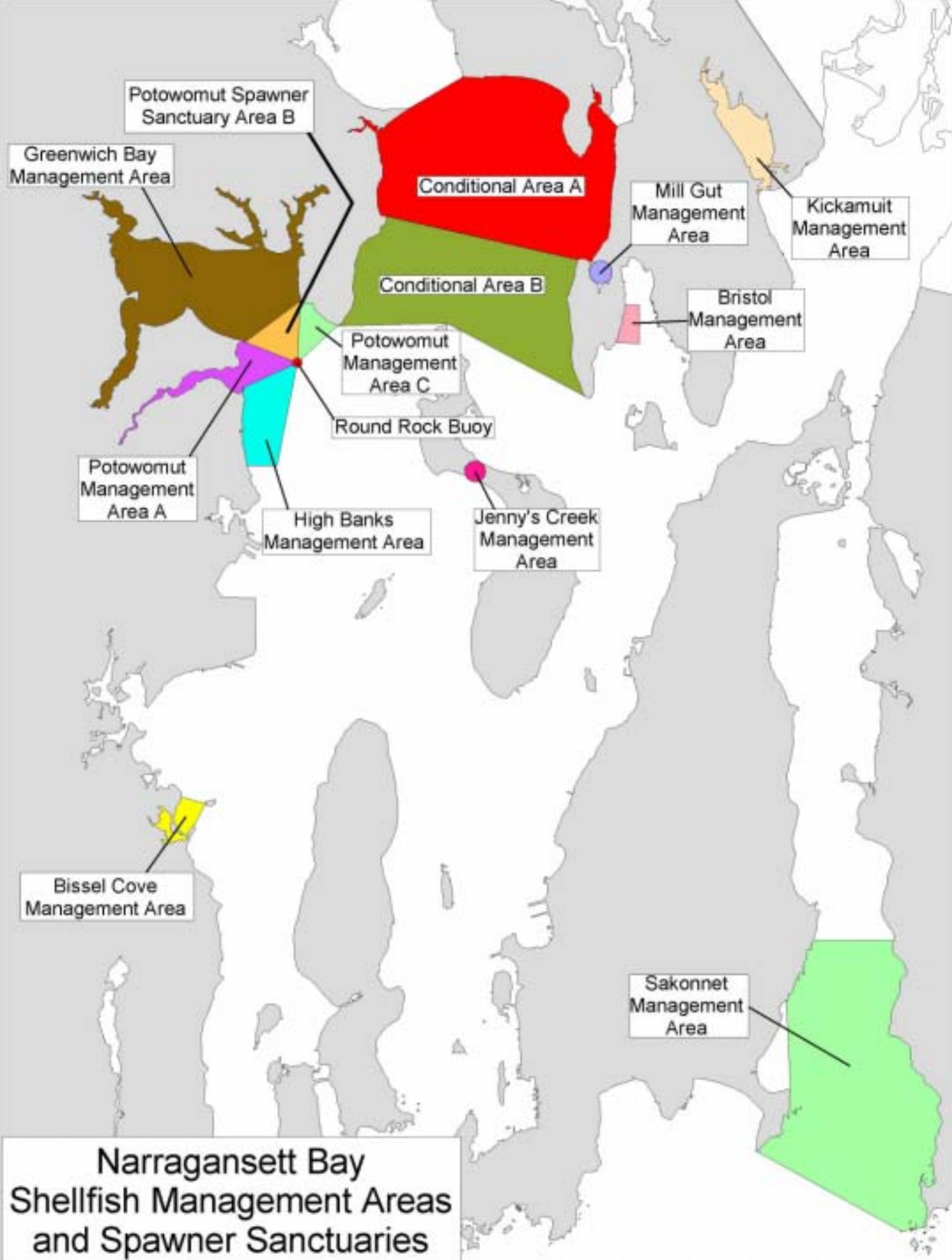
Pine Hill  
Point

Poppasquash  
Point

Homestead  
Dock

Hog  
Island

Hog  
Island  
Light





Rhode Island Division of Fish and Wildlife  
Marine Fisheries Section  
3 Fort Wetherill Rd  
Jamestown RI 02835

To:

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